



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,700	07/02/2003	William Kress Bodin	AUS920030244US1	5879
34533 7590 10/18/2007 INTERNATIONAL CORP (BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469			EXAMINER MURRAY, DANIEL C	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 10/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

MT

<b>Office Action Summary</b>	<b>Application No.</b> 10/612,700	<b>Applicant(s)</b> BODIN ET AL.	
	<b>Examiner</b> Daniel Murray	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02JUL2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02JUL2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>15MAR2004</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement submitted on 15MAR2004 has been considered by the Examiner and made of record in the application.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "106" and "130" have both been used to designate "Services Gateway".
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "108" and "202" have both been used to designate "DML".
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "118" has been used to designate both "Domain" and "Interface".
5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 300, 313, 317, 495, 557, 564, 567, 570, 904, 906, 911, and 969.  
Appropriate correct is required.
6. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or

Art Unit: 2143

“New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

The objection to the drawings will not be held in abeyance.

### ***Specification***

7. The disclosure is objected to because of the following informalities:

- Page 12 line 2, replace “HomPlug” before “protocol” with --HomePlug--
- Page 12 line 4, replace “HomePlug” before “enabled” with --HomePlug--
- Page 18 line 24, replace “126” before “includes” with --106--
- Page 24 line 16, replace “130” before “of figure 2” with --106--
- Remove blank page between pages 52 and 53

Appropriate correction is required.

8. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

9. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

10. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 1-21** are rejected under 35 U.S.C. 102(e) as being anticipated by **Phipps (US Patent # US 6,579,231 B1)**.

a) Consider **claim 1**, Phipps clearly shows and discloses, a method, system, and computer program product for administering devices (abstract, column 1 lines 8-17, column 2 lines 22-28), the method comprising: a recording medium (figure 3, column 4 lines 6-9, column 6 lines 3-6); creating, in a first domain, a domain state object (subject/record)(figure 4, abstract, column 2 lines 29-34, column 3 lines 32-39); and transmitting the domain state object from the first domain to a second domain (figure 1, abstract, column 2 lines 34-40, column 3 lines 39-43 lines 66-67, column 4 lines 1-5).

b) Consider **claim 2**, and **as applied to claim 1 above**, Phipps clearly shows and discloses, the method of claim 1 wherein creating, in a first domain, a domain state object comprises: creating a current device state object (66 device ID)(figure 4, column 6 lines 49-56); and associating the current device state object with the domain state object (each device is mapped to a particular subject)(figure 4, column 4 lines 45-52, column 6 lines 49-56).

c) Consider **claim 3**, and **as applied to claim 2 above**, Phipps clearly shows and discloses, the method of claim 2 wherein creating a current device state object comprises: identifying a device in the first domain (figure 4, column 6 lines 49-56); getting a current value of an attribute of the device (figure 4, abstract, column 2 lines 29-34, column 3 lines 58-64, column 4 lines 6-9); and storing the value in the current device state object (figure 2, figure 3, figure 4, abstract column 2 lines 29-34, column 4 lines 6-9).

d) Consider **claim 4**, and **as applied to claim 1 above**, Phipps clearly shows and discloses, the method of claim 1 wherein creating, in a first domain, a domain state object comprises associating a user metric vector with the domain state object (the type of physiological data that is collected and stored in the subject's profile e.g. heart rate, blood pressure, body temp, etc.)(figure 4, abstract, column 1 lines 8-17 lines 58-64, column 2 lines 16-19, column 6 lines 49-56).

e) Consider **claim 5**, and **as applied to claim 1 above**, Phipps clearly shows and discloses, the method of claim 1 wherein creating in a first domain, a domain state object comprises associating a user metric space (70 thresholds) with the domain state object (figure 4, abstract, column 2 lines 41-49, column 7 lines 22-32).

f) Consider **claim 6**, and **as applied to claim 1 above**, Phipps clearly shows and discloses, the method of claim 1 wherein transmitting the domain state object from the first domain to a second domain comprises downloading the domain state object to a mobile sensor (figure 1, abstract, column 3 lines 66-67, column 4 lines 1-5).

g) Consider **claim 7**, and **as applied to claim 1 above**, Phipps clearly shows and discloses, the method of claim 1 wherein transmitting the domain state object from the first domain to a second domain comprises downloading an address of the domain state object to a mobile sensor (column 3 lines 66-67, column 4 lines 1-5).

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ortega et al. (US Patent # US 6,287,253 B1) disclose: "Pressure Ulcer Condition Sensing and Monitoring"
- Voegeli et al. (US Patent # US 6,735,551 B2) disclose: "System for Maintenance and Management of Health"
- Chen et al. (US Patent Pub # US 2004/0130446 A1) disclose: "Wireless Communication and Global Location Enabled Intelligent Health Monitoring System"
- Gjorsvik (International Pub # WO 03/043494 A1) disclosed: "A Cluster System for Remote Monitoring and Diagnostic Support"
- LeDain et al. (US Patent Pub # US 2003/0069752 A1) disclose: "Remote Health-Monitoring System and Method"
- Jordan (US Patent # US 6,383,136 B1) discloses: "Health Analysis and Forecast or Abnormal Conditions"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Murray whose telephone number is (571)-270-1773. The examiner can normally be reached on Monday - Friday 0800-1700 EST.

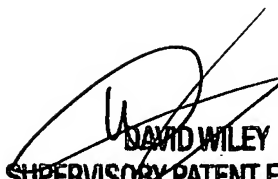
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

Art Unit: 2143

assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCM

A handwritten signature in black ink, appearing to read "David Wiley", with a large, stylized loop at the end.A handwritten signature in black ink, appearing to read "David Wiley", with a large, stylized loop at the end.

**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**